

UNITED STATES COURT
DISTRICT OF MASSACHUSETTS

TERRI J. PEDATO, As Mother and Next)	
Friend of RICHARD MORRILL)	
Plaintiff)	
)	CIVIL ACTION
VS.)	NO: 03CV-12223 RGS
)	
FRED G. ARRIGG, JR., M.D.,)	
Defendant)	

JOINT MOTION TO CONTINUE THE TRIAL DATE

Now come the parties in the above captioned action and respectfully request that this Honorable Court continue the trial date currently scheduled for September 17, 2007 until October 9, 2007 for the reasons set forth below.

1. On May 1, 2007, this Honorable Court issued a notice for trial to commence on September 17, 2007.
2. This date was determined without any input from trial counsel and unfortunately poses scheduling difficulties.
3. On September 17, 2007 counsel for the defendant, Ken Weiss is scheduled to be out of the country on a long planned trip with family. His tickets have already been purchased.
3. Further, defense counsel also has a trial in the case of Hurley v. Calef, MICV2004-01303-A, in the Middlesex Superior Court which is expected to commence on October 2, 2007 and is expected to last approximately 1 week.
4. Trial counsel for both parties are able to commence trial on October 9, 2007.
5. Counsel for both parties have conferred with their respective clients and experts and have confirmed their availability for trial on October 9, 2007.
6. This request for a 3 week continuation of the trial date will not unduly delay the

disposition of this case.¹

7. Granting a very brief continuance in the will not result in any prejudice to either party.

For all the reasons set forth above, the parties hereby respectfully request that this Honorable Court allow a 3 week continuation of the trial date until October 9, 2007 or some other date convenient for all parties and the Court.

The Plaintiff,
By her attorney,
JOSEPH G. ABROMOVITZ, P.C.

The Defendant,
By his attorneys,
FICKSMAN & CONLEY, LLP

/s/ Joseph G. Abromovitz
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/s/ Nicole M. Mason
NICOLE M. MASON, BBO # 647915
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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2007, I served the above notice on the plaintiff in the above entitled action by mailing a copy thereof, postage prepaid, to their counsel of record Joseph G. Abromovitz, Esq., 858 Washington Street - Third Floor, Dedham, MA 02026.

/s/ Nicole M. Mason
NICOLE M. MASON

¹In the initial scheduling order adopted by the Court, expert depositions were to be completed by September 28, 2007 with dispositive motions filed by October 31, 2007 and responses due by November 30, 2007. Therefore, a trial date would not have been anticipated to occur until after November 30, 2007. Accordingly, this joint request for a three week continuation of the trial date should not have any adverse impact on the timely resolution of this case, because even with the three week extension, the trial will still conclude long before the initial scheduling order would have dictated.